

THE TRI-WEEKLY YEOMAN.

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DEMOCRATIC STATE TICKET.

For Governor.
BERNARD MAGOFFIN,
OF MERCER COUNTY.

For Lieutenant Governor.
LINN ROYD,
OF MURKIN COUNTY.

For Attorney General.
ANDREW J. JAMES,
OF FRANKLIN COUNTY.

For Auditor.
GRANT GREEN,
OF HENDERSON COUNTY.

For Treasurer.
JAMES H. GARRARD,
OF BOYLE COUNTY.

For Register of the Land Office.
THOMAS J. FRAZIER,
OF BREATHTOWN.

Supt. of Public Instruction.
ROBERT RICHARDSON,
OF KENTON COUNTY.

Pres. Board Internal Improvement.
JAMES P. BATES,
OF BARRON COUNTY.

FOR CONGRESS.
CAPT. WILLIAM E. SIMMS,
OF BOURBON.

THURSDAY, JUNE 16, 1850.

We copy from the Lexington Statesman an account of the particulars of the personal difficulty which occurred at Russell's Mills on the 10th inst., between Hon. Garrett Davis and Capt. W. E. Simms. This statement of the affair, which, by the way, is the only reliable one we have seen in print, gives the lie to the report which was circulated in this place some three or four days since, to the prejudice of Capt. Simms. So far as we are informed of the public sentiment here, the friends of Capt. Simms are perfectly satisfied with his position, and we believe Mr. Davis' friends have a similar opinion of his attitude in the affair, at least we know nothing to the contrary.

Since the above was written we have received the Paris Flag, which settles the facts, as follows:

The following is a statement of the difficulty at Russell's Mills, between Capt. Simms and Hon. Garrett Davis, as reported to us by gentlemen present. A few minutes before the commencement of the discussion at Russell's Mills on Friday last, a friend placed in the hands of Capt. Simms a copy of the Western Citizen, issued that morning, which contained under the head of a communication, the following malignant and personal article:

Capt. Simms, an Old-Line Whig. — Capt. Simms said in his speech in Paris, that he was supported by as good and true Old-Line Whigs, as there were in the county, and in a subsequent part of it, that he had been a Whig on principle. Benedict Arnold signified his support of the American Whig cause in the Revolutionary war on Lake Champlain, before the walls of Quebec, and on the plains of Saratoga. He afterwards ordered to sell the American army posted at West Point, to King George the III, and then went over to the enemy. There were good Old-Line Whigs who voted for Buchanan. But they did not swallow the Cincinnati Democratic platform—a platform that reiterates every former Democratic heresy and measure which the Old-Line Whigs had opposed for a generation, and it terminated the annual Democratic demonstration against every Old Whig principle and measure. The Captain and the Old-Line Whigs who carry the Cincinnati platform in their claws and support him, are such Whigs as Arnold was after he had fled to the British camp.

In his concluding speech, Capt. Simms read the article to the audience, and enquired whether or not anything upon that occasion had escaped his lips, to justify such an infamous attack upon himself, and other Old-Line Whigs occupying the same position to the Democratic party. He had endeavored to conduct this campaign so as to avoid giving offense to any one. He was no bully, nor was he in this race to be intimidated or bullied by the Opposition. He did not know who was the author of the article, nor did he care. He would feel degraded in his own self-respect were he to pass such an attack unnoticed. He then said:

That article is the emanation of a mind, the last flickerings of which are too feeble to control the malice, the spleen and venom, of a heart devoid of every particle of truth, honor, and common decency. The author of that article is a serpent that crawls along in his filthy slime, and though powerless to injure, still spits his venom, and hurls his hisses. He is a slanderer and a traitor, and would place his foot, if he dared do it, upon the neck of every gentleman in this community, who dare differ from him politically or otherwise.

After Capt. Simms concluded his speech, the Hon. Garrett Davis, rose from his place the centre of the church, and stated that he was the author of the article read and alluded to by Capt. Simms, and that he could prove the truth of the charge therein made. Capt. Simms then replied: You state that you are the author of that article, then every word that I have said in reference to it and its author, applies to you personally without retraction or qualification.

Mr. Davis then said that he pronounced the gentleman a liar and coward. Capt. Simms then replied: Sir, I have branded you, you cannot now skulk behind the language of a blackguard, to shield yourself from the responsibility that rests upon you—while that mark remains upon you, you are unworthy of my notice.

Candidates for Congress.
1st District.—Henry C. Burnett and Oscar Turner, both Democrats.

2. Samuel O. Peyton, Democrat, and Jas. S. Jackson, Opposition.

3. W. W. Sale, Democrat, and F. M. Bristow, Opposition.

4. James S. Chrisman, Democrat, and Wm. C. Anderson, Opposition.

5. John Young Brown, Democrat.

6. Green Adams, Opposition. No Democratic nomination.

7. Thomas H. Holt, Democrat, and Robert Mallory, Opposition.

8. William E. Simms, Democrat, John M. Harlan, Opposition, and Stephen F. J. Triabue, American.

9. James W. Moore, Democrat, and Lelan T. Moore, Opposition.

10. John W. Stevenson, Democrat, and Thos. L. Jones, Opposition.

The Louisville Journal says no man in the South has ever thought of demanding of the next Congress a slave code for the Territory.

A Brace of National Americans Filled From Grace.

Hon. Thomas Corwin, of Ohio, who not many weeks since was in Frankfort the guest of some of our leading Opposition politicians, and whose business in part, we have reason for believing, was to fix matters for the campaign in this State, was chairman of the committee on resolutions in the late Black Republican Opposition convention in Ohio, and reported, among other resolutions equally obnoxious, one demanding the repeal of the Fugitive Slave Law, "as it is subversive of both the liberties of the States and of the people, and is contrary to the plainest duties of humanity and justice, and is a violation of the moral sense of the civilized world." What a sweet-scented National American, what a patriotic Oppositionist!

Hon. Henry M. Fuller—another great National American, for whom the whole Kentucky K. N. delegation voted for Speaker of the House of Representatives in Congress in 1855, and thereby brought about the election of Banks—is at present Chairman of the Black Republican People's Party Central Committee in Pennsylvania. Another glorious specimen of the national Opposition!

Query.—Are the Opposition papers ready to take back all they said in favor of Corwin during his canvass for Congress last fall; are they ready to plead guilty to the charge that less than a year since they were engaged in the business of manufacturing public sympathy in the South for the election of a vile Abolitionist?

Again: Are the Opposition ready to twist that little winding arrangement of theirs to elect Banks, in which Humphrey Marshall, &c., voted for Fuller, who voted for Pennington, who voted for Banks? By the way, what is the difference, about this time, leaving Pennington out of the question, between *Fuller and Banks*?

Ink has been shed by the bottle and the barrel to prove to the people of Kentucky that Corwin and Fuller were both sound patriots, National Americans and Oppositionists, in whose keeping the rights of the South were perfectly safe, and we trust that a bare pen full of the same fluid will be spared by the Opposition editors, just to give us a slight expression of their opinion of these two worthies now.

Curtis Field, jr., has assumed the editorial management of the Richmond Messenger, lately conducted by Thomas Owens. The paper is to be printed with new types and press, and other improvements are promised. Mr. Field writes well, but we are of opinion he has made the very worst investment of his mental capital in undertaking the management of an Opposition newspaper. The wear and tear of conscience in such a business must be awful, and the prospect ahead to a politician engaged in the support of the Opposition cause in Kentucky is just about as bright as the hereafter to a dying and unrepentant sinner. Mr. Field is making for himself a very bad record; but, through courtesy to a beginner, we hope he may find his share of the agreeable in the life editorial.

We call the attention of those who want a fine and fashionable article of clothing, to the advertisement of M. B. Swain, Merchant Tailor, No. 4, Masonic Temple, Louisville. He always employs the very best workmen, and cannot fail to give satisfaction to the most fastidious who may call upon him. He has a line supply of the latest styles of cloths, cassimeres and Vestings, for summer wear, and he has also an excellent assortment of Cravats, Shirts, Handkerchiefs, Collars, Ties, &c., &c.

(For the Yeoman.)
Male and Female Academies at New Liberty.

GENTLEMEN: As parents and citizens, we should all feel the greatest interest in promoting the cause of education, the grand basis of universal improvement. In the pathway of intellect, onward should be the motto. We have been progressive in developing the resources of our State, in acquiring wealth, and in every department of science contributing to usefulness, in agriculture and the mechanic arts; while the most useful and noble part of man—the intellect—has been suffered to waste, or at least has not been encouraged to that degree of cultivation of which it is capable.

It is gratifying to witness the rapid strides we are making towards the improvement of our race, by planting seminaries of learning in all corners of our State. In order that others may be encouraged in this cause of common interest, I wish to present your readers with a brief notice of the annual commencement exercises of the Male and Female Academies of New Liberty, which occurred during the past week. These exercises are a matter of public interest, as was sufficiently attested by the large, respectable, and intelligent audience assembled to witness the efforts of the students of those institutions. During the four evenings the large Baptist church was crowded to excess with attentive and delighted spectators. By the liberality of our citizens, two large buildings, capable of accommodating 150 pupils each, have been erected.

The examinations were thorough and practical, reflecting great credit on both teachers and pupils. The evening exercises were highly entertaining and intellectual, evincing close and careful application on the part of the students, and earnest labor on the part of the accomplished teachers.

The graduating scene was solemn and impressive. The annual address was delivered by Wm. Bowling, M. D., President of Nashville Medical College, Tennessee. Dr. Bowling requires no introduction at our hands, but we cannot refrain from saying that his address was beautiful, learned, and eloquent, exhibiting an intimate and profound acquaintance with classic literature.

It is not our design to introduce any of the faculty of either institutes, but we must notice the claims of H. B. Harlow as a professor of music. His faculty for teaching, and his success, has been such as to rank him among the first of his profession. Hoping that these schools may increase in numbers, and prosper in usefulness, we subscribe ourselves, &c., &c.,

Yours, &c.,
Graham & Knox.

The Maysville and Lexington Railroad Company was incorporated by act of the Legislature of Kentucky, approved March 4th, 1850.

The 28th section of said act conferred on the cities of Maysville and Lexington, and counties of Mason, Nicholas, Bourbon, and Fayette, and any other city, county, or corporation, power and authority to hold stock in said company, on the same terms and conditions with other stockholders, provided the amount subscribed by either city, county, or corporation, shall not exceed the sums named, viz: the city of Maysville \$150,000, &c., &c.,

and the county of Lexington \$100,000, &c., &c.

Under this authority the city council of Maysville executed one hundred and fifty bonds of \$1,000 each. They were signed by the president of the council, and countersigned by the clerk, and had the city seal affixed. They were made payable to the Maysville and Lexington railroad company, assignee, or bearer, were delivered to the company, and received in payment of their subscription.

It was in proof that at the time the one hundred and fifty bonds were made and executed by the city of Maysville, and delivered to the railroad company, it was generally known amongst the people of the city that they were made for sale in the money markets of the county, and the bonds were generally praised and commended by the people of the city, and the sales of the bonds quoted and praised in said newspapers at the time.

From the issue of the bonds until July, 1857, the necessary tax was levied and collected, and the interest paid. For the coupons falling due July, 1857, no tax was levied or collected, and they were dishonored.

On the 20th of October, 1857, the appellees filed their petition in the Mason Circuit Court, as authorized by title 10, chap. 13, of Civil Code, praying writs of mandamus directed to the city council to show cause why they did not proceed to the levy and collection of the taxes, as enjoined upon them by law.

After this petition was filed, a new board of councilmen were elected, and they failed to levy taxes to pay the coupons falling due 1st January, 1858. An amended petition was filed making the new board parties likewise, and praying mandamus directed to them.

Those of the old board filed a joint answer, in which they admitted the truth of all that was alleged in the petition, averring they had always been ready and willing to perform their duty by levying the tax as the law required, as far as they were concerned. The other members of the council answered, denying the relief asked.

Judgment was rendered by the circuit court, awarding a peremptory mandamus on defendants, from which they appealed.

The appellants asked a reversal on the following grounds:

That a mandamus was not the proper remedy, if appellees were entitled to relief.

On this point Judge Wood held—

That the appellees had a right to the specific relief asked. The Legislature having provided the way of raising by tax the payment of the interest, and directed the Maysville city council to levy the tax necessary from year to year to pay the amount of the interest, it was their duty to make the levy, and the writs of mandamus being intended to give the specific relief, was the proper proceeding. In support of the principle, he cited *Barnes' Abridgment*, vol. 6, title *Mandamus*, page 418. Blackstone says, "it issues in all cases where the party hath a right to have any thing done and hath no other specific means of compelling its performance." (*Black. Com.*, vol. 3d, page 140.) *Commonwealth v. Paine*, vol. 10, *Mass. Reports*, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 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THE TRI-WEEKLY YEOMAN.

(From the Bardonia Gazette.)

Fifth District Democratic Convention.

The Convention of the Democratic party of the Fifth District met in Bardonia, on Tuesday, June 17th, for the purpose of nominating a suitable candidate for Congress.

At 10 o'clock A. M. the meeting was called to order by J. C. Wickliffe, Esq., of Nelson, and on motion of Mr. J. B. Renfro, of Mercer, Dr. Green Forest, of Bardonia, was called to the Chair, preparatory to the formation of a permanent organization. J. L. Field, of Nelson, was appointed Secretary of the meeting.

Mr. Renfro moved the appointment of a committee on permanent organization, whereupon the following gentlemen were appointed by the Chair: Messrs. Sandford, McBrayer, of Mercer; R. C. McChord, of Washington; L. A. Spaulding, of Nelson; A. H. Field, of Bullitt; and B. L. May, of Nelson.

On motion of Mr. J. C. Wickliffe, of Nelson, the Convention adjourned until one o'clock P. M.

EVENING SESSION.

The Committee on Organization submitted the following list of officers, which was adopted:

President—Dr. J. A. Thompson, of Mercer.
Vice President—Wm. Moore, of Washington; Ben. Spaulding, of Marion; Jonathan Davis, of Spencer; Jas. W. Rozland, of Bullitt.

Secretaries—J. L. W. Ellis, V. B. Carter, Wm. E. Carroll.

Dr. Thompson was escorted to the chair by Ben. Spaulding, Esq., of Marion.

On motion, the following gentlemen were appointed a committee on resolutions:

A. H. Field, of Bullitt; M. R. Hardin, of Washington; J. C. Wickliffe, of Nelson; R. M. Spaulding, of Marion; and C. H. May, of Spencer.

The Committee reported the following resolutions, which were unanimously adopted:

Resolved, That the call of this Convention by the Democratic Central Committee of this Congressional District is necessary and proper.

Resolved, That the Democratic party of this Congressional District recognizes fully the right of any citizen to become a candidate for office, who is qualified by law to hold the office, and the right of the people to elect their delegates, to a national convention, and to nominate their candidates. And such conventions, when organized by delegates, in attendance at their respective counties, in attendance after duly published notice, are sanctioned by reason, as well as the time-honored practice of the Democratic party, and are necessary and proper to secure the unity and harmony of the party. And as "principles, not men," have ever been the motto of the Democracy, it is the duty of every good and true Democrat to abide by the decision of such conventions, thus fairly made.

Resolved, That this Convention continues and renews its abiding confidence in the political principles declared by the Democratic party in its national assembly, in June, 1856, at Cincinnati, and also in its convention at Bardonia, in June, 1859, and it recognizes no test of political orthodoxy not therein contained.

Resolved, That we sincerely approve of all the nominations made by the Democratic party at the Bardonia Convention in January last, and we pledge a zealous and cordial support to our entire State ticket.

Resolved, That we approve of the decision of the Supreme Court of the United States, in the Dred Scott case, and we believe that no necessity for legislation on the subject of slavery in the Territories of the United States, is thereby created by the Democratic party in its national assembly, in June, 1856, at Cincinnati, and also in its convention at Bardonia, in June, 1859, and it recognizes no test of political orthodoxy not therein contained.

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to aid in the success of those principles—principles which will stand honored and alive when the measures of those who denounce them will be buried in the rubbish of coming time.

Very respectfully,
WM. A. HOOPE.

Nominations being in order, J. B. Renfro, of Mercer, nominated Dr. R. C. Palmer, who addressed the convention, reminding them that he had been a candidate for two months, always advocating harmony and organization, and that he was now present for the purpose of pouring oil upon the troubled waters. He was honored by his own county, by Mercer, and by Marion, and had now the nomination in his own power if he desired it. But he thought that the desirable result, unity and harmony, might be better secured by the nomination of another man, and therefore desired his friend to withdraw his name. Dr. Palmer's name was in consequence withdrawn by Mr. Renfro.

J. P. Barbour, Esq., nominated Col. Smedley, of Mercer.

J. C. Wickliffe, Esq., nominated J. P. H. Roper, of Washington. Mr. Barbour, in a very happy speech, declined the honor, stating that he had just nominated Mr. Smedley, and of course should not interfere with his nomination. Mr. Barbour's name was then withdrawn.

Dr. Forrester nominated W. E. Wilson, of Bullitt, but on the suggestion of Mr. Field, that as Mr. Wilson was not present, and it was not known that he would accept, and as his non-acceptance would occasion a great deal of inconvenience, his name was withdrawn.

R. C. McChord, of Washington, nominated John Young Brown, of Harlan. Mr. Brown arose amid a storm of applause and declined. Mr. Barbour declared that he had not been informed that Mr. Brown had refused under any circumstances to allow his name to go before the convention, he would have proposed his name first. He called on Mr. Brown to consent. Mr. Brown rose again and in feeling language returned his thanks for the great, and to him unexpected, honor, but declared that he must decline.

He then appealed to a third time by acclamation to wait on Mr. Brown, and finally, after some further delay, he arose, and stated that his name was at the service of his friends.

Mr. Smedley's name was then withdrawn, and on motion of Alex. Craycroft, Esq., of Marion, Mr. Brown was forthwith nominated by acclamation, and a prolonged applause.

Ben. Spaulding, Esq., of Marion, and Dr. Palmer, of Washington, were appointed as a committee to wait on Mr. Brown, and officially inform him of his nomination. He was then escorted to the stand, whence, in an eloquent speech, he returned thanks to the convention for his nomination. After Mr. Brown's acceptance, stirring speeches, congratulating the Democracy on the bold stand they had taken against disunion, and exhorting them to the support of the nominee, were made by Hon. C. A. Wickliffe, J. P. Barbour, and C. C. Smedley.

B. Elliott, Esq., of Marion, offered the following, which was adopted:

Resolved, That this convention cannot too highly commend the self-sacrificing spirit of Dr. Palmer and Mr. W. A. Hoopes, in withdrawing their names as candidates from this convention, in order that they might even the semblance of parity in presenting a candidate to the Democracy of this Congressional District.

It was then resolved that the Democratic papers in this district, and the Louisville Democrat and Courier, be requested to publish the proceedings of this convention.

The convention then adjourned sine die.

J. A. THOMPSON, President.

V. B. CARTER, Secretary.

J. L. W. ELLIS, Secretary.

W. E. CARROLL, Secretary.

[Correspondence of the Louisville Democrat.]

Debate Between the Candidates for Governor—Magoffin Triumphant.

BERKSVILLE, Ky., June 7.

MESSRS. EDITORS: It is universally conceded that the Fourth Congressional District is to be the great political battle-ground in the ensuing contest, and this fact has already been abundantly demonstrated upon yesterday's candidates for Congress, Christian and Anderson, and for the State Senate, Boles and Haskin, discussed at length and with zeal and ability the political issues of the day. And to-day our gubernatorial leaders unfurled their banners and "let slip the dogs of war."

This is one of the strongest Opposition counties in the State. It has long been a stronghold, and here have always lived the fiercest enemies of our principles, but nobly and gloriously has our gallant Magoffin led us through the thickest of the fight.

Mr. Bell's speech and reply were, as usual, a mixture of rhetorical flourishes and anecdotes—a reiteration of the charges of extravagance and corruption, a denouncing of Congressional intervention, and a violent denunciation of the principles of the Democratic party. These were the main points made in the speech of the great orator of the Kentucky Opposition; and although the crowd laughed at the anecdotes, jokes, and antics of the speaker, his sarcasms and appeals to the prejudices of his hearers were fruitless, unavailing, and fell to the ground.

I am informed that Bell has, until he has reached the neighborhood of this district, been in the habit of charging that the Hon. George A. Caldwell had voted for a measure in effect the same as the Wilmot Proviso act, that Buckner voted for.

Here he failed to attack Caldwell, but pointed out the fact that Caldwell had been the head of the Hon. James B. Clay, saying, when speaking of the positions of Clay, of Alabama, and James B. Clay, upon the political issues of the day, with a curl of devious scorn upon his lips, and a sneer of contempt as hissing and poisonous in the sentence, as malignant and disappointed ambition can heap upon a virtuous and worthy object, with all the venom of hatred he exclaimed:

"All we need is a man like James B. Clay in the same sense with Clay, of Alabama!" and his Know-Nothing adherents who compose the stamping committee clapped and applauded the sentiment.

Magoffin's reply and conclusion was a glorious and successful vindication of our measures and men from the misrepresentations and unwarranted attacks of Bell. Upon the slavery question, his position was clear and unequivocal—no intervention with slavery in States or Territories by Congress; a firm support of the compromises of 1850 and the Kansas Nebraska bill. He showed his position now was the same as Clay's in the passage of those great measures which gathered in the evening of his life around the sacred head of the old sage of Ashland an eternal sunshine of glory. Magoffin further showed that when Mr. Bell was attempting to resuscitate the old Whig party by denouncing its murderers, the late deceased Know-Nothing party, in the address then published to the people of Kentucky, he occupied the position of non-intervention by Congress. He showed the inconsistency of Bell's party who opposed the Lecompton Constitution because it did not embody the will of the people of Kansas, and was now advocating the passage of a slave code in Kansas to protect property that had no existence in the Territory; and that the people of that Territory stood committed against their refusal to ratify the Lecompton Constitution; that he was now attempting to force a Congressional interference, to cram down the throats of a free people a code of laws, for the passage of which no necessity existed, and against which an overwhelming majority of the people of Kansas were admitted to stand. He further charged a coalition of all the isms to defeat the Democracy, and showed the result would be to place the Black Republicans in power; Fremont, having received more than double the number of votes in the late presidential campaign than Fillmore did, if the combination was effected, and a new party formed, it would of necessity be of Black Republican materials, who when the Democratic party were dissolved, would assume their original principles and destroy our constitutional rights. He charged that Mr. Bell's advocacy of Congressional interference, to cram down the throats of a free people a code of laws, for the passage of which no necessity existed, and against which an overwhelming majority of the people of Kansas were admitted to stand. 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